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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,643	09/17/2003	Shuichi Takeuchi	P23808	3813
7055	7590	06/27/2005		EXAMINER
				CHERRY, EUNCHA P
			ART UNIT	PAPER NUMBER
				2872

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/663,643	TAKEUCHI ET AL.
	Examiner EUNCHA P. CHERRY	Art Unit 2872
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.		
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 		
Status		
1) <input type="checkbox"/> Responsive to communication(s) filed on ____. 2a) <input type="checkbox"/> This action is FINAL . 2b) <input checked="" type="checkbox"/> This action is non-final. 3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.		
Disposition of Claims		
4) <input checked="" type="checkbox"/> Claim(s) <u>1-23</u> is/are pending in the application. 4a) Of the above claim(s) ____ is/are withdrawn from consideration. 5) <input type="checkbox"/> Claim(s) ____ is/are allowed. 6) <input checked="" type="checkbox"/> Claim(s) <u>1-8, 10-16 and 21-23</u> is/are rejected. 7) <input checked="" type="checkbox"/> Claim(s) <u>9 and 17-20</u> is/are objected to. 8) <input type="checkbox"/> Claim(s) ____ are subject to restriction and/or election requirement.		
Application Papers		
9) <input type="checkbox"/> The specification is objected to by the Examiner. 10) <input checked="" type="checkbox"/> The drawing(s) filed on <u>17 September 2003</u> is/are: a) <input checked="" type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) <input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.		
Priority under 35 U.S.C. § 119		
12) <input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) <input checked="" type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of: 1. <input checked="" type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. ____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.		
Attachment(s)		
1) <input type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>12/17/03</u> .		
4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date ____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: ____.		

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10-16 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Hattori (US 5,748,352, from IDS).

Hattori discloses a printer comprising a scanning optical system (Fig. 5) for dynamically deflecting a laser beam emitted from a light source (1) by a deflecting system (3), converging the dynamically deflected laser beam by an imaging optical system into a spot beam on a scan target surface (5), and thereby scanning the spot beam in a main scanning direction on said scan target surface (in the direction of X), said scanning optical system including: an optical element being placed on an optical path between said light source and said deflecting system (106), said optical element including: a central area transmitting part of the laser beam in the **vicinity** of a central axis of the laser beam (see Fig. 10, center 114); at least one

Art Unit: 2872

light blocking area blocking part of the laser beam incident on part of said optical element outside said central area (first 104 near central axis) and at least one light transmitting area transmitting part of the laser beam incident on part of said optical element other than said central area and said at least one light blocking area (second 114 from the central axis). The central area and the at least one light transmitting area give the same phase to beams passing therethrough (same distance as shown in figure 10). The optical element includes a pair of the light blocking/transmitting areas (see multiple 114 and 104). The at least one light blocking area is placed outside the central area to adjoin thereto and the at least one light transmitting area is placed outside the at least one light blocking area to adjoin thereto (see 406). The each of the at least one light blocking area and the at least one light transmitting area is placed to be on both sides of the central area in regard to the main scanning direction and symmetrical (see Fig. 10). the cross section of the laser beam incident in the optical element taken along a plane perpendicular to the central axis has an elliptical form (see the rays in Fig. 5).

Allowable Subject Matter

Art Unit: 2872

3. Claims 9 and 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: claims are allowable at least for the reason that the prior art does not teach or reasonably suggest the system that satisfy the conditional equation as set forth in the claimed combination.

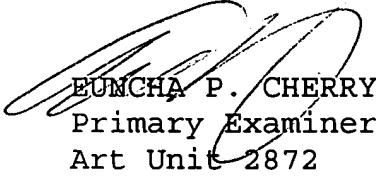
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DREW DUNN can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


EUNCHA P. CHERRY
Primary Examiner
Art Unit 2872

6/24/05